



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Carey Nachenberg and Everett Lai

Application No.: 10/046,496

Filing Date: October 29, 2001

Title: TEMPORAL ACCESS CONTROL FOR
COMPUTER VIRUS OUTBREAKS

Confirmation No.: 3384

Group Art Unit: 2137

Examiner: Jeffery L. Williams

Attorney Docket No.: 44420423-5957

**INFORMATION DISCLOSURE
STATEMENT**

SONNENSCHEIN NATH & ROSENTHAL LLP
Customer No. 45969

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

date of signature:

January 30, 2006

by:

Edward J. Radlo
Edward J. Radlo, Reg. No. 26,783

MAIL STOP RCE
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ARLINGTON, VA 22313-1450

Sir:

Applicants submit herewith 38 patents, publications and other information [some of which are enclosed herewith and all of which are listed on the enclosed Form PTO-1449 (modified)] of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56.

This Information Disclosure Statement is being submitted in conjunction with a Request for Continued Examination.

A copy of each of the items on PTO-1449 (modified) is supplied herewith, except for issued United States patents and published United States patent applications.

A concise explanation of relevance of the items listed on form PTO-1449 (modified) is hereby given for the only non-English language listed item: cite no. 32, the **DE 100 21 686 A1**

reference, discusses a method for reducing the distribution of computer viruses in an e-mail network.

The Examiner is reminded that a "concise explanation of the relevance" of the submitted items "may be nothing more than identification of the particular figure or paragraph of the patent or publication which has some relation to the claimed invention," MPEP § 609.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR § 1.56, submission of this IDS is not intended to constitute an admission that any patent, publication or other information referred to herein is "prior art" for this invention, unless specifically designated as such.

In accordance with 37 CFR § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR § 1.56(a) exists. It is submitted that this Information Disclosure Statement complies with 37 CFR § 1.98 and MPEP § 609, and the Examiner is respectfully requested to consider the listed references.

The Commissioner is hereby authorized to charge any required fee to Deposit Account No. 19-3140. A duplicate copy of this sheet is enclosed.

Respectfully submitted,



Edward J. Radlo
Reg. No. 26,793
Attorney of Record

date of signature:



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cc: IP/T docket CH (w/1449)
J. Mazzeo (w/1449)



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PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

Complete if Known

Application Number	10/046,496
Filing Date	October 29, 2001
First Named Inventor	Carey Nachenberg
Group Art Unit	2137
Examiner Name	Jeffrey L. Williams

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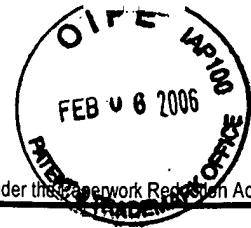
Sheet 1 of 2 Attorney Docket Number 44420423-5957

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
1	US-6,052,709 A		04-18-2000	Paul et al.	
2	US-2002/0083175 A1		06-27-2002	Afek et al.	
3	US-2005/0021740		01-2005	Bar et al.	
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5	US-5,440,723		08-1995	Arnold et al.	
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7	US-6,370,648		04-2002	Diep, Thanh A.	
8	US-2002/0046275		04-2002	Crosbie et al.	
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11	US-2003/0236995		12-2003	Fretwell, Lyman J. Jr.	
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28	6,094,731		07-2000	Waldin et al.	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Substitute for form 1449A/PTO				Complete if Known	
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Number Country Code ³ Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	29	WO 97/39399 A2	10-23-1997	Trend Micro, Inc.		
	30	WO 01/91403 A2	11-29-2001	V.N. Hermes, Inc.		
	31	WO 02/05072 A2	01-17-2002	Messagelabs Ltd.		
	32	DE 100 21 686 A1	11-08-2001	Deutsche Thomson-Brandt GMBH		
	33	EP 1 280 039 A2	01-29-2003	Networks Associates Technology Inc.		
	34	GB 2 364 142 A	01-16-2002	Robert Morris		

OTHER ITEMS – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	35	Toth, et al., "Connection-history based anomaly detection," <u>Proceedings of the 2002 IEEE Workshop on Information Assurance and Security</u> , West Point, NY, 17-19 June 2002, pp 30-35	
	36	Kephart, Jeffrey et al., "An Immune System for Cyberspace," IBM Thomas J. Watson Research Center, IEEE 1997, pp 879-884, U.S.A.	
	37	Symantec Corporation, "Norton AntiVirus Corporate Edition", Version 1.0, 1999, pages 5-44, U.S.A.	
	38	Bakos et al., "Early Detection of Internet Worm Activity by Metering ICMP Destination Unreachable Activity.", <u>Proceedings Of SPIE Conference on Sensors, and Command, Control, Communications and Intelligence</u> , Orlando, Florida, April 2002	

Examiner Signature		Date Considered	
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.